

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:)	
)	
ROGER HENRY HERBEK and)	
LINDA ELAINE HERBEK,)	
)	CASE NO. BK10-41562-TLS
Debtor(s).)	
UNITED STATES OF AMERICA,)	A10-4045-TLS
)	
Plaintiff,)	4:92CV3040
)	
vs.)	CH. 7
)	
ROGER HENRY HERBEK; LINDA ELAINE)	
HERBEK; and SECURITY NATIONAL)	
BANK, Lawrence Branch, successor in)	
interest to Lawrence State Bank,)	
)	
Defendants.)	

REPORT & RECOMMENDATION

This matter is before the court on its own motion.

According to the court's records, the bankruptcy estate has been fully administered, the debtors have been granted a discharge under 11 U.S.C. § 727, and the underlying bankruptcy case has been closed. Accordingly, other than the debtors having received a discharge, the bankruptcy proceeding will not affect this litigation and the case may go forward.

I respectfully recommend to the United States District Court for the District of Nebraska that it withdraw the reference of this adversary proceeding to move forward with matters in this case.

The Clerk of the Bankruptcy Court shall process this recommendation pursuant to the local court rules.

DATED: January 13, 2011.

RESPECTFULLY SUBMITTED,

/s/ Thomas L. Saladino
Chief Judge

Notice given by the Court to:

Laurie M. Barrett Julie K. W. Gawrych
Carla J. Alexander U.S. Trustee